IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22-1-2007

Coram

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice N.PAUL VASANTHAKUMAR

W.A.No.1724 of 2002

S. Govindasamy ... 3rd Party / Appellant.

Vs.

1. S.Sengamuthu

2. Superintendent of Police,
Perambalur Taluk,
Perambalur District.

3. Deputy Superintendent of Police,
Perambalur Taluk,
Perambalur District.

4. Inspector of Police,
Udayarpalayam,
Perambalur Taluk,
Perambalur District.

5. Revenue Divisional Officer,
Udayarpalayam,
Perambalur Taluk,
Perambalur District. ... Respondents/Petitioner and Respondents.

This writ appeal is filed under Clause 15 of Letters Patent against the order of the learned single Judge in W.P.No.19505/2002 dated 7.6.2002.

For Appellant : Mr.Govarthanan
for M/s.Row & Reddy
For 1st Respondent : No appearance
For Respondents 2to 5: Mr.K.Balakrishnan,
Addl. Govt. Pleader

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J U D G M E N T

(Judgment of the Court was made by P.SATHASIVAM, J.)

One S.Govindasamy, who is third party in the writ proceeding, aggrieved by the order of the learned single Judge dated 7.6.2002 in W.P.No.19505 of 2002, has filed the above writ appeal.

2. Heard the learned counsel appearing for the appellant as well as the respondents.

3. The learned Additional Government Pleader, appearing for the respondents 2 to 5 by drawing our attention to the relief prayed for in the writ petition as well as to the order of the learned single Judge, submitted that as on date, nothing survives for adjudication in this writ appeal.

4. In view of the said submission, we verified the relief sought for in the writ petition, which reads as under,

> ".... writ of MANDAMUS or any other order writ or direction directing the respondents herein to give appropriate protection to the petitioner in conducting the function of Muthumariamman Temple situated at T.Keelaveli, Udayarpalayam, Perambalur Taluk, held on 13.6.2002, 14.6.2002 and 15.6.2002 ....."

For the above said prayer, the learned single Judge issued direction for providing Police Protection to the writ petitioner as well as to the Administrative Committee of the temple in question.

5. In these circumstances, we are of the view that the appellant, being a third party, cannot pursue the writ appeal at this juncture. However, if the appellant has any grievance with regard to performing the festival, it is open to him to approach the appropriate authority to vindicate his grievance.

With the above observation, the writ appeal is dismissed as infructuous. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

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To

1. The Superintendent of Police,
   Perambalur Taluk, Perambalur District.

2. The Deputy Superintendent of Police,
   Perambalur Taluk, Perambalur District.

3. The Inspector of Police, Udayarpalayam,
   Perambalur Taluk, Perambalur District.

4. The Revenue Divisional Officer,
   Udayarpalayam, Perambalur Taluk, Perambalur District.

+ 1 CC to the Government Pleader SR NO 4080

+ 1 CC To Mr. Row and Reddy, Advocate SR NO. 4059

W.A.No.1724 of 2002

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